

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:18-cr-0125-JMS-TAB
)	
DOMONIQUE RANEE NOLAN,)	- 01
)	
Defendant.)	

REPORT AND RECOMMENDATION

On August 7, 2020, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on March 6, 2020. Defendant Nolan appeared in person with her appointed counsel Sam Ansell. The government appeared by Will McCoskey, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Felecia Bain.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Nolan of her rights and provided her with a copy of the petition. Defendant Nolan orally waived her right to a preliminary hearing.
2. After being placed under oath, Defendant Nolan admitted violation numbers 1, 2, and 3. [Docket No. 30.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“You must refrain from any unlawful use of al controlled substance.”**

As previously reported to the court, the offender provided urine samples for marijuana on July 25, 2019, September 11, 2019, October 31, 2019, November 20, 2019, and lastly on February 26, 2020.

- 2 **“You shall participate in a cognitive behavioral program, such as Moral Reconation Therapy (MRT), at the direction of the probation officer and abide by the rules of the program.”**

Ms. Nolan began MRT in August 2019. As of the filing of this report, she was on step 4 of 12 in the program and had missed 11 of 28 sessions.

- 3 **“You shall participate in a substance abuse or alcohol treatment program approved by the probation officer and abide by the rules and regulations of that program. The probation officer shall supervise your participation in the program (provider, location, modality, duration, intensity, etc.). The court authorizes the release of the presentence report and available evaluations to the treatment provider, as approved by the probation officer.”**

The offender has failed to comply with treatment conditions and has not been seen by her treatment provider in over 90 days.

4. The parties stipulated that:

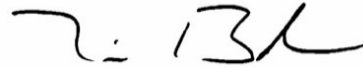
- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant’s criminal history category is I.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 4 to 10 months’ imprisonment.

5. The parties jointly recommended a sentence of seven (7) months with no supervised release to follow. Defendant requested placement at a facility closest to Indianapolis, Indiana.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that her supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of seven (7) with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at a facility closest to Indianapolis, Indiana.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Dated: 8/7/2020

A handwritten signature in black ink, appearing to read "T. Baker", written over a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

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